

Committee on Resources

Subcommittee on Water & Power

Witness Statement

Statement of Senator Kent Conrad

before the House Resources Committee

Subcommittee on Water and Power

September 30, 1999

INTRODUCTION

Mr. Chairman, thank you for providing me the opportunity to testify in strong support of the Dakota Water Resources Act of 1999. I appreciate your willingness to hold this hearing – the second in 2 years on this bill – and hope to be able to demonstrate the significant progress we have made on this legislation in recent months.

I am especially pleased that this bill enjoys incredibly broad support. As you heard last year, and as you will hear today, the bill has the unanimous support of the bipartisan elected leadership of the State of North Dakota. It is supported by North Dakota water users and North Dakota conservation organizations – groups that have historically disagreed on water policy in our state. The bill is supported by the Greater North Dakota Association (our chamber of commerce) and the North Dakota Education Association. Mr. Chairman, this bill enjoys the broadest support of any piece of legislation affecting my state that I have worked on in my two terms in the Senate.

Additionally, we are extremely pleased that the bill is supported by the Administration. After more than a year of discussions, covering more than 60 issues, last spring we reached agreement on this bill. In reaching that agreement, we reduced the cost of the legislation by \$140 million, strengthened environmental provisions in the bill, and provided additional assurances to our Canadian neighbors.

The bill before the committee is not our grand-daddy's Garrison project. The bill enjoys the support of North Dakota and the Administration because it is a fiscally-sound, environmentally-sensitive, and Treaty-compliant plan to complete the Garrison Diversion project. We believe the bill deserves the support of this Committee, and we are ready to work hard with you to garner your support.

THE NEED

On the verge of the 21st century, North Dakota still faces significant water development needs to meet the basic water demands of our citizens and to ensure a bright economic future for our state. North Dakota is a semi-arid state that historically has suffered from insufficient water supplies as well as water quality problems.

These charts show the dramatic need for water development in North Dakota.

This chart shows a sample of the poor quality water directly from the tap of some of our residents. This

water sample on the left is well water from a farmstead in southwest North Dakota. It is as dark as weak coffee, but not nearly as fit to drink. The water sample on the right in the chart shows water delivered by the Southwest Pipeline Project, which is clear and clean and fit to drink. Only through the funds provided by the cost-shared Garrison MR&I program could this clean water have become a reality.

I recently attended a "turning on the tap" ceremony in Hettinger, North Dakota sponsored by the Southwest Pipeline project. The Southwest Pipeline project is one of North Dakota's true success stories, bringing more than 900 million gallons of water annually to more than 28,000 homes and businesses across Southwest North Dakota.

The dedication event represented the completion of another phase of the project to bring water to the Hettinger and Reeder areas in Adams County North Dakota. You should have seen the elation in people's faces as clean, clear water flowed from the faucet. For the first time in their lives, people in the area do not need to haul water several times a month and the project means white clothes will come out of the wash white, not grey.

This next chart shows a picture of a baby bathing in dirty water from southwestern North Dakota. It is the same kind of water shown in the first picture, and is as unfit to bathe in as it would be to drink. This is what we need to change in North Dakota.

We also must meet the water needs of the Red River Valley.

The next chart shows Red River nearly dry in Fargo in 1910. While we all remember the flooding of 1997, we must also remember that the Red River has been nearly dry on many occasions. At times you could walk across the river without getting your feet wet. This picture illustrates the times the river has been nearly dry, leaving the communities up and down the Red River Valley without a reliable source of water.

THE BILL

As I said at the beginning of my statement, the Dakota Water Resources Act is not our grand-daddy's Garrison project. It represents a new vision to address the 21st Century water needs of my state. The bill before the Committee today reflects the realistic contemporary water needs of the State, and represents a realistic settlement to the long-standing commitment made to our state when we agreed to host a permanent 500,000-acre flood.

Fundamentally our bill proposes to further reduce irrigation in exchange for additional MR&I development, and also proposes innovative ways to meet the other purposes of the project.

Our bill includes:

- \$200 million for statewide MR&I projects;
- \$200 million for Tribal MR&I projects;
- \$200 million for a Red River Valley Water project;
- \$25 million for an expanded Natural Resources Trust;
- \$6.5 million for recreation projects;
- Requires the state to pay for existing features at the time and to the extent those features are actually used;
- About 70,000 acres of irrigation, and a prohibition on irrigation development in the Hudson Bay

- drainage basin;
- Requires compliance with the National Environmental Policy Act and the Boundary Waters Treaty with Canada; and
- Encourages the State to establish a water conservation program using funds from the bill.

The bill will result in a project that will cost about \$600 million less than the currently-authorized project would cost the government to fully construct.

THE PROCESS

We have engaged in an unprecedented and cooperative process. The six years of effort have included discussions with interested North Dakotans representing every interest, with the Federal agencies, and with National and North Dakota environmental organizations. In February, 1997, we held a marathon 10 hour negotiating session with environmental interests. That meeting resulted in an agreement on 12 principles that would guide our legislative proposal. The bill before the committee remains true to the agreement we reached with the conservation organizations more than two years ago, and we are extremely pleased that the North Dakota Wildlife Society and the North Dakota Chapter of the Wildlife Federation support the bill.

The result is a product that has nearly unanimous support of leaders in North Dakota. This bill has the support of the bi-partisan elected leadership of North Dakota from every level of government -- federal, state, tribal, and local. It has the support of water interests; business leaders; ND conservation organizations; large and small cities; agriculture; rural electric co-ops; even the ND Education Association.

CONCLUSION

Mr. Chairman, this legislation represents a fiscally-sound, environmentally-sensitive, Treaty-compliant approach to completing the Garrison project. The bill will help meet the contemporary water needs of our state while enhancing our natural resources. I hope this represents the final chapter in the history of this project, and urge the Committee to join us in supporting passage of this bill.

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